

10/1/2018

DEPARTMENT OF THE INTERIOR Mail ProPublica Article Ethics office approved blank financial report



McDonnell, Edward <edward.mcdonnell@sol.doi.gov>

ProPublica Article - Ethics office approved blank financial report

1 message

de la Vega, Scott <scott.delavega@sol.doi.gov>

Thu, Jun 28, 2018 at 6:19 PM

To: SOL-ETHICS <sol-ethics@sol.doi.gov>

Cc: Daniel Jorjani <daniel.jorjani@sol.doi.gov>, "Caminiti, Mariagrazia" <marigrace.caminiti@sol.doi.gov>

Team Ethics -

As many of you know, ProPublica has been working on a negative story about some of the deficiencies in our ethics program. Unfortunately, they decided to go ahead and publish the story today (see below). There are a few points that I need all of you to very clearly understand:

1. While the article does, in fact, highlight some very real problems and mistakes that will be addressed as we improve this program, the article is not an accurate reflection of the quality and depth of the people and experience in this office. This office has simply not had appropriate resources dedicated to it for several years.
2. I am incredibly disappointed that they decided to publish Tia's name in reference to these forms. As I said in my first week here, Tia Barner had been given a nearly impossible tasks in being the reviewer of so many reports and she did the best she could under the circumstances. Working with Tia over the past two months has provided me the opportunity to see that she is a first-rate professional and I respect how she has managed a difficult situation. Tia, please know that you have the trust and confidence of us all and we appreciate you immensely.
3. I want to thank Kim Hintz for taking on the task of "auditing" the reports that were the subject of this story - Kim is another true professional and an incredible ethics official.

The office has been reorganized and we will have a Financial Disclosure program manager by the end of the summer. Just as important, we must have a culture in this ethics office where everyone digs in during 450 and 278 review season and everyone helps review reports, not just the financial disclosure team. Review of financial disclosure reports, even if its just a handful each year, is a basic function of all ethics officials and keeps our conflict of interests review skills sharp. And as I have previously mentioned, affirmatively contacting filers to ask them about their reports raises the profile of the ethics program in the minds of employees and builds a relationship with the ethics office.

Let's keep our chins up and view this article as a bit of constructive criticism. Always remember, our work is being scrutinized as it should be; let's do it right every day and be proud of it. I am certainly proud to be working with all of you.

Scott

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----- Forwarded message -----

From: **margaret.connors** <email_this@eenews.net>

10/1/2018

DEPARTMENT OF THE INTERIOR Mail ProPublica Article Ethics office approved blank financial report

Date: Thu, Jun 28, 2018 at 4:20 PM

Subject: [EXTERNAL] From E&E News PM -- INTERIOR: Ethics office approved blank financial report

To: scott.delavega@sol.doi.gov

This E&E News PM story was sent to you by: margaret.connors@sol.doi.gov

E&E NEWS PM

AN E&E NEWS PUBLICATION

INTERIOR

Ethics office approved blank financial report

Jennifer Yachnin, E&E News reporter

Published: Thursday, June 28, 2018



Interior Department headquarters in Washington. Pamela King/E&E News

The Interior Department acknowledged that its Departmental Ethics Office has failed to review and properly certify "many" personal financial disclosure reports for senior employees, according to a new analysis released today by ProPublica.

The investigative news outlet reported today that it found at least four senior employees who had failed to properly disclose their personal finances.

In one example, Bureau of Land Management adviser Thomas Baptiste submitted a completely blank form, devoid of any information other than his name.

ProPublica reported that a senior ethics official, Kim Hintz, found that Baptiste had "inadvertently omitted certain information" from his form.

Other individuals with incomplete reports included former National Rifle Association lobbyist Benjamin Cassidy, hired in October as senior deputy director for intergovernmental and external

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affairs; Cally Younger, a former aide to Idaho Gov. Butch Otter (R) who became a BLM attorney; and Rick May, a former Navy SEAL who is now the senior national adviser to the secretary for recreation (*E&E News PM*, Oct. 6, 2017; *Greenwire*, May 31).

In response to ProPublica's findings, the Interior Department acknowledged that it did not "have adequate resources to accomplish its legally required compliance functions, including its responsibilities relating to the financial disclosure report program." But the department said that the issue predated the Trump administration.

A list of issues provided to ProPublica said that a "lack of qualified staffing" resulted in "a situation where many reports (including the 4 subject reports) were not reviewed and certified properly."

Click here to see ProPublica's full report.

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OGE FORM 278 SUMMARY

Type of Report	New Entrant	Annual	Termination
Filer Name			
Filer Position & General Duties			
Date of Appointment			
Date of Ethics Pledge Signature (if different)			
Date Report Received			
Extensions & Length			
Late Filing & Days Late			

Does filer have a spouse?	<input type="checkbox"/> Yes	<input type="checkbox"/> No (if annual or termination, reconfirm)
Does filer have any dependent children?	<input type="checkbox"/> Yes	<input type="checkbox"/> No (if annual or termination, reconfirm)
Was filer a lobbyist?	<input type="checkbox"/> Yes	<input type="checkbox"/> No (if annual or termination, reconfirm)
If Y, within 2 years?	<input type="checkbox"/> Yes	<input type="checkbox"/> No <i>PLEDGE: Must recuse for any specific matters lobbied for and in the specific issue in which the matter falls for 2 years</i>

Filer info: Federal position in last 12 months?	
Part 1: Non-Government positions <i>NE: Prior 2 years, to file date. A: prior CY</i> <ul style="list-style-type: none"> Resigned all outside positions? <ul style="list-style-type: none"> Employment/Clients Board positions (incl uncompensated) Advisory committees Serve as a Trustee? 	REMINDERS: 502+PLEDGE: No personal and substantial participation in particular matters involving specific parties for 2 years if employer or client in year before app't is or represents a party 702: Cannot use public office for own or others' private gain, including endorsements of any product, service, or enterprise
Part 2/5: Employment income/assets/retire Income and assets derived from personal services, including retirement (<i>NOT fed though</i>) <i>Aggregate w/ spouse, children</i> <ul style="list-style-type: none"> Salary / commission / spouse director fees? Holdings in IRA/401k, etc? Stock options / restricted stock? Books/Royalties/IP? Part 6: Other Assets and Income Non-employment related assets and income, including dependent children <i>NE: Prior 1 year, to file date. A: prior CY</i> <ul style="list-style-type: none"> Trusts: Beneficiary or grantor of trust? Holdings in brokerage account? Checking, savings, CD, MM account? Mutual, sector, MM funds? Other investment funds or clubs? Hedge Funds or Private Equity? College savings accounts? Property for investment or rented? 	REMINDERS: 208 Recusals or divestiture (assets over de minimis levels) 502: A particular matter involving specific parties is likely to have a direct and predictable effect on the financial interest of a member of your household, or a covered relationship is or represents a party to such matter, and the circumstances would cause a reasonable person with knowledge of the relevant facts to question your impartiality in the matter.

Part 3: Agreements and Arrangements <i>Through file date</i> <ul style="list-style-type: none"> Continued participation in benefit plan (defined, contribution)? Deferred compensation / future payments for past services, or exiting from position (partnership share)? Future employment / return? 	
Part 4: Sources of compensations >\$5000 <i>NE: Prior 2 years, to file date. A: prior CY</i> <ul style="list-style-type: none"> Employers / Clients you provided services? 503 Extraordinary Payments: Payment after employer knew you were considered for gov't position, not for compensation or established program? Deferred compensation payments? Supplementation of salary 18 U.S.C. 209: Payment for services performed after appointment date? 	
Part 7: Transactions <i>NE: not applicable; A: prior CY</i> <ul style="list-style-type: none"> Securities transactions reported in a T? Real property for investment or rented? EIF mutual funds? 	REMINDERS: 278T: <i>Purchases, sales, exchanges of securities (exc. EIFs) must be reported within 30 days of transaction notice but no later than 45 days after transaction. They also must be reported, with EIF and real estate transactions (exc. pers residence) in next 278e.</i>
Part 8: Liabilities > \$10,000 <i>NE: Prior 1 year, to file date. A: prior CY</i> <ul style="list-style-type: none"> Unsecured loans, capital calls? Rented residential properly? Credit card balance at end of period? Loans on special terms? 	
Part 9: Gifts <i>NE: not applicable; A: Prior CY</i>	REMINDERS: PLEDGE: <i>No gifts from lobbyists/orgs 278e: Report gifts > \$156 if >\$390 from same source</i>
Other matters / changes from prior?	

First line DOI review (name and date)	
Discussion w/ filer?	
Cautions/Notice to Divest email?	
Ethics Agreement?	
CD request?	
Late Fee process?	

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DEPARTMENT OF THE INTERIOR Mail New Entrant 278 Reviews



McDonnell, Edward <edward.mcdonnell@sol.doi.gov>

New Entrant 278 Reviews

1 message

de la Vega, Scott <scott.delavega@sol.doi.gov>
To: SOL-ETHICS <sol-ethics@sol.doi.gov>

Thu, Jun 28, 2018 at 8:04 PM

THIS IS A MANDATORY NEW PROCESS AND IS EFFECTIVE IMMEDIATELY.

All new political appointees must be personally interviewed by an ethics official prior to certification of their New Entrant 278. In person interviews are preferred. Telephonic interviews are allowed, but discouraged. A filer should be informed in advance that the interview will take at least 30 to 45 minutes.

The attached worksheet must be used during the interview.

The purpose of the interview is:

- to ensure that the filer understands the information that is required to be reported;
- to confirm that the information the filer is reporting is accurate and reported properly;
- to answer any questions or concerns the filer has about the financial disclosure process;
- to explain to the filer why financial disclosure reports are required and educate the filer about conflicts of interest;
- to inform the filer about the concept of "imputed interests" of their spouse and minor children;
- to inform the filer about the concept of "covered relationships" under 502;
- to inform the filer about their STOCK Act obligations for Periodic Transaction Reports;
- to inform the filer about their STOCK Act obligations to file a written recusal when seeking employment;
- to educate the filer about outside activity restrictions and gifts, including the need to seek approval for WAGs and event attendance.

While Initial Ethics Orientation is mandatory and designed to cover many of these issues, the fact is that this one-on-one personal interview is very effective. By utilizing the interview worksheet, the flow of the interview will touch on all of the above topics.

This initial interview is a critical moment in the ethics life of the employee and should be treated very seriously. In addition to the above, a very important goal of this interview is to establish a relationship between the new employee and the Departmental Ethics Office. The employee should walk out of the interview knowing that the DEO is a powerful resource for their success here at DOI.

While this new (and time consuming) process is mandatory for all new political appointees, as personnel resources permit we will extend the process to all new 278 filers.

Scott

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**278 NE review.docx**

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